



2016 CHAPTER 18

PART 1
PRINCIPLES

Establishing what is in a person's best interests

Compliance with section 2

8.—(1) This section applies where a person other than the court (“the relevant person”)—

- (a) does an act for or on behalf of another person who is 16 or over and lacks capacity in relation to whether the act should be done; or
- (b) makes a decision for or on behalf of another person who is 16 or over and lacks capacity to make the decision.

(2) The relevant person is to be taken to have sufficiently complied with the principle in section 2(2) (act or decision must be in best interests) if that person—

- (a) reasonably believes that the act or decision is in the other person's best interests; and
- (b) in determining whether the act or decision is in the other person's best interests, has complied with section 7.